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Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS,
LLC,¹

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED
FUND, LLC,²

USA SECURITIES, LLC,³

Debtors.

Affects:

- ☐ All Debtors
☒ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR¹
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR²
Case No. BK-S-06-10729-LBR³

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**WITHDRAWAL OF USACM TRUST
OBJECTION TO PROOFS OF
CLAIM BASED UPON
INVESTMENT IN THE ASHBY
FINANCIAL COMPANY \$7,200,000
LOAN AS IT RELATES TO CLAIM
NO. 10725-01653 OF THE VOSS
FAMILY TRUST CLAIM ONLY**

Date of Hearing: February 5, 2010
Time of Hearing: 9:30 a.m.

The USACM Liquidating Trust ("USACM Trust") withdraws its Objection to Proofs of Claim Based, in Whole or in Part, Upon Investment in the Ashby Financial Company \$7,200,000 Loan (the "Ashby Loan") (the "Objection") [DE 7932] as it relates

¹ This bankruptcy case was closed on September 23, 2008.

² This bankruptcy case was closed on October 12, 2007.

³ This bankruptcy case was closed on December 26, 2007.



to Proof of Claim No. 10725-01653 filed by the Voss Family Trust. On January 21, 2010, the Voss Family Trust filed a response to the Objection [DE 7940], which clarifies that the Voss Family Trust has “been paid back in full” for its investment in the Ashby Loan and, therefore, the Voss Family Trust’s claim is not based to any extent upon an investment in the Ashby Loan. Accordingly, the USACM Trust will adjust its records and withdraw the Objection to the extent it relates to the Voss Family Trust’s Claim.

Dated: February 16, 2010.

LEWIS AND ROCA LLP

By /s/ John Hinderaker (#18024)

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Attorneys for the USACM Liquidating Trust

COPY of the foregoing served via e-mail this
16th day of February, 2010 addressed to:

Voss Family Trust

Dated 10/4/ 99

Wolf D. and Claudia Voss, Trustees

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Newport Beach, CA 92657

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/s/ Leilani Lista

Leilani Lista